

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 5-15, 18-28, and 30-36 are presently active in this case, Claims 1, 13, 26, 34, and 36 having been amended and Claims 3, 4, 16, 17, and 29 having been canceled by way of the present Amendment.

In the outstanding Official Action, Claims 1-36 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specific grounds for rejection are recited on pages 2-3 of the Official Action. The Applicants respectfully traverse the indefiniteness rejections. Regarding question 1), the temperature measuring element is inherently configured to measure the temperature of its surroundings, as would be evident to one of skill in the art. Claim 1 defines the temperature measuring element as being thermally connected to the temperature regulating unit, which is also thermally connected to the semiconductor laser element. Accordingly, the Applicants submit that the temperature measuring element is defined in a clear and concise manner. Regarding questions 2)-4), the Applicants note that the “[b]readth of a claim is not to be equated with indefiniteness.” (MPEP 2173.04, emphasis added.) The Applicants are not required to include exhaustive structural details in the claims, thereby limiting the claims to a single specific embodiment of the overall invention. Such a requirement would unduly limit the scope of the invention being claimed. For example, questions 2) and 3) appear to require the invention to be limited to one particular embodiment of a temperature measuring element. Such a limitation on the scope of the claims is unwarranted. One of ordinary skill in the art would clearly understand the meaning of the limitation of “a temperature measuring element configured to measure a temperature,” as recited in Claim 1. Accordingly, such a limitation satisfies 35 U.S.C. 112,

second paragraph. Similarly, regarding question 4), the specific physical connection (e.g., wire(s), etc.) is irrelevant to the definiteness of the claims. The claims clearly define a connection and control between these features as would be readily apparent to one of ordinary skill in the art, and therefore satisfy 35 U.S.C. 112, second paragraph. Regarding the specific rejections of Claims 13, 14, and 17-25, the Applicants respectfully submit that the means-plus-function limitations mentioned on pages 2-3 of the Official Action are clearly definite under 35 U.S.C. 112, second paragraph. 35 U.S.C. 112, sixth paragraph explicitly states that “an element ... may be expressed as a means ... for performing a specified function without recital of structure, material, or acts in support thereof....” Accordingly, a “means for detecting a driving current” is certainly permissible without the recitation of the structure of the means in the claim. The function of the means, namely “for detecting a driving current,” is clearly recited, which is also true of the remaining means-plus-function limitations mentioned on pages 2-3 of the Official Action. Thus, the Applicants respectfully submit that the means-plus-function limitations satisfy the requirements of 35 U.S.C. 112, second paragraph. Accordingly, the Applicants request the withdrawal of the indefiniteness rejections.

Claims 1-36 were rejected under 35 U.S.C. 102(e) as being anticipated by Sato (U.S. Patent No. 6,393,041 B1). For the reasons discussed below, the Applicant traverses the anticipatory rejection.

Independent Claims 1, 13, 26, 34, and 36 of the present application have been amended to recite that the semiconductor laser element includes a diffraction grating and is configured to oscillate plural longitudinal modes. The Applicants respectfully submit that the Sato reference does not disclose or even suggest such features. Additionally, the Official Action does not specify where in the Sato reference such features are disclosed. The present

invention is advantageous in that it can be used as a light source for exciting, for example, a Raman amplifier.

Since the Sato reference fails to disclose a semiconductor laser element that includes a diffraction grating and is configured to oscillate plural longitudinal modes, as recited in Claims 1, 13, 26, 34, and 36 of the present application, then the Applicants respectfully submit that the Sato reference does not anticipate Claims 1, 13, 25, 34, and 36.

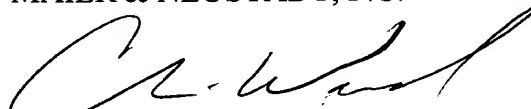
Claims 2, 5-12, 14, 15, 18-25, 27, 28, 30-33, and 35 are considered allowable for the reasons advanced for Claims 1, 13, 26, and 34 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claims 1, 13, 26, and 34.

Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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